

REMARKS

This Response addresses the issues raised by the Examiner in the Office Action mailed October 17, 2003. Initially, Applicants would like to thank the Examiner for the careful consideration given this case and for indicating allowable subject matter in Claims 3-24, 26-38, 50-56, 63, 64, 79 and 81-90. In view of the above amendments and the following remarks, Applicants feel that all outstanding issues have been addressed and prompt allowance of the remaining claims is respectfully requested.

Claim Objections

Applicants have amended the claims indicated as objectionable by the Examiner to address the Examiner's concerns.

§ 102(e) Rejections

Although the Examiner indicated a long list of claims which include allowable subject matter, Applicants believe that the broadest claims (i.e., Claim 1) are also distinguishable over the cited art. Specifically, the Examiner rejected Claims 1, 2, 25 and 39 under 35 U.S.C. § 102(e), as being anticipated by U.S. Publication No. 2002/070278 to Hung et al. ("Hung"). Hung is directed to CCD scanner solutions, a technology that does not encounter the same light polarization problems addressed in the present invention. The "mitigation device" of Claim 1, and the polarization adjustment of Claim 2, therefore, are not anticipated or rendered obvious in light of Hung.

Indeed, Hung does little, if anything, to identify the problems associated with a laser scanner being able to obtain a reading from an LCD screen, a theme of the present invention. Therefore, Hung also does nothing to offer a solution for a laser scanner to obtain an accurate scan from an LCD screen. The present claims and accompanying description (see, e.g., paragraphs 7 through 13)

clearly identify the nature of the problem involving the combination of the polarization of both the LCD scanner and the LCD display. Applicants also point to the solution which entails using a mitigating layer, specifically a wave retarder, to allow the light from the laser scanner to penetrate the LCD.

Hung primarily concentrates on CCD scanners and does not identify or discuss the problem presented by the combination of the polarization of an LCD display and a laser scanner. For example, in paragraphs 28 through 47 of the present application, Applicants specifically describe the nature of the problem and detail a specific solution. After identifying the problem associated with an LCD screen which is linearly polarized and a laser scanner which emits randomly polarized light, Applicants present unique solutions by using a wave retarder or other mitigation device which circularly polarizes light and thus allows the laser beam to pass through a linear polarizer such as an LCD screen (see paragraph 40 through 41). This specific aspect is claimed in Claims 1 and 2, and is not anticipated by Hung.

Hung speaks almost entirely about CCD scanners and focuses on problems associated with changing brightness and contrast (characteristic of CCD scanners). These ideas are irrelevant to obtaining an accurate scan using a laser scanner and tend to indicate a lack of understanding of the nature of the problem associated with using laser scanner. Paragraph 37 of Hung mentions a color filter between the detector array and the display screen to compensate for wavelength dependent sensitivity of the detector. This again is not applicable to the present claims.

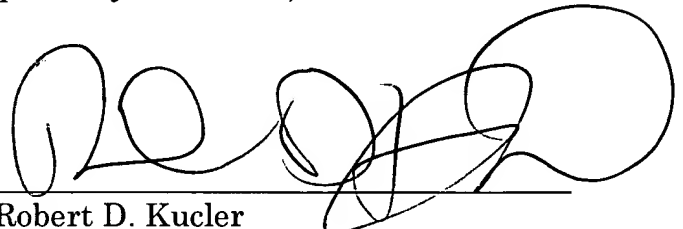
The Examiner has also rejected Claims 40-29, 57-62, 65-78, and 80 under 35 U.S.C. § 102(e), as being anticipated by U.S. Publication No. 2002/0091569 as being anticipated by Kitaura et al ("Kitaura"). For at least the reasons set forth above, Kitaura does not teach or suggest any additional subject matter that, even when coupled with Hung, would render any of the claims obvious.

The above amendments and accompanying remarks address each and every issue raised by the Examiner in the Office Action. Based on these clarifying amendments, Applicants believe that all claims of the present invention are now in condition for final allowance. As outlined above, each of these amendments is fully supported throughout the specification, and no new matter is introduced by these amendments. If the Examiner feels that any issues remain outstanding, the Examiner is encouraged to contact Applicant's attorney at the contact information below.

Respectfully submitted,

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By



Robert D. Kucler
Reg. No. 45,908

REED SMITH LLP
P.O. Box 488
Pittsburgh, AP 15230-0488
(412) 288-4598

Attorney for Applicants